

SCHEDULE 4 – ZONING BY-LAW AMENDMENT



BY-LAW NO. 2020-XXXX

A By-law to Amend Zoning By-law 2000-138

WHEREAS Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O.1990, c. P.13, as amended;

AND WHEREAS on December 14, 2020, Council for the Town of Halton Hills approved Report No. PD-2020-0064, dated November 30, 2020, in which certain recommendations were made relating to the Premier Gateway Zoning By-law and Urban Design Review;

AND WHEREAS Council has recommended that Zoning By-law 2000-138 be amended as hereinafter set out;

AND WHEREAS said recommendation conforms to the Official Plan for the Town of Halton Hills;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. That **Section 6** of Zoning By-law 2000-138 is hereby amended by indicating that Section 13 of By-Law 57-91 is hereby amended by adding thereto the following new Sub-sections, namely: Sub-sections 13.102.1 to 13.102.15.
2. That **Sub-section 7.5.2** of Zoning By-law 2000-138 is hereby amended by adding the following Sub-section 7.5.2.3:
 - 7.5.2.3 A lot in existence prior to the effective date of this By-law that does not meet the lot area and/or lot frontage requirements of the applicable zone, is permitted to be used and buildings and structures thereon be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the buildings or structures comply with all of the other provisions of this By-law. In addition, where, as a result of the acquisition of part of a lot by a public authority, the lot, after the acquisition, does not meet the lot area and/or lot frontage requirements of the applicable zone, such lot may be used for any purpose permitted by this By-law within the zone in which the lot is located.

3. That the second **Sub-section 7.5.2.2** of Zoning By-law 2000-138 is hereby re-numbered 7.5.2.4 and amended as follows:

7.5.2.4 Minimum Depth of Front Yard

- | | | |
|------|---|------------|
| i) | Abutting Steeles Avenue | 10 metres |
| ii) | Abutting Fifth Line North of Steeles Avenue | 10 metres |
| iii) | All other front yards | 7.5 metres |

4. That **Sub-section 7.5.2.4** of Zoning By-law 2000-138 is hereby re-numbered 7.5.2.5 and amended as follows:

7.5.2.5 Minimum Side Yard

- | | | |
|------|---|------------|
| i) | Abutting Fifth line North of Steeles Avenue | 10 metres |
| ii) | Abutting an O3-1 Zone | 7.5 metres |
| iii) | Abutting the rights-of-way of Highway 401 & 407 | 25 metres |
| iv) | Abutting a residential, commercial or institutional lot | 15 metres |
| v) | All Other Interior Side Yards | 4 metres |
| vi) | Exterior | |
| | - Abutting Steeles Avenue | 10 metres |
| | - All other exterior side yards | 7.5 metres |

5. That **Sub-section 7.5.2.5** of Zoning By-law 2000-138 is hereby re-numbered 7.5.2.6 and amended as follows:

7.5.2.6 Minimum Rear Yard

- | | | |
|------|--|------------|
| i) | Abutting the rights-of-way or one-foot reserves adjacent to Highway 401 or 407 | 25 metres |
| ii) | Abutting Steeles Avenue | 10 metres |
| iii) | Abutting a residential, commercial or institutional lot | 15 metres |
| iv) | Abutting Fifth Line North of Steeles Avenue | 10 metres |
| v) | Abutting an O3-1 Zone | 7.5 metres |
| vi) | All other rear yards | 7 metres |

6. That **Sub-section 7.5.2.7** of Zoning By-law 2000-138 is hereby removed.

7. That **Sub-section 7.5.2.6** of Zoning By-law 2000-138 is hereby re-numbered 7.5.2.7.

8. That **Sub-section 7.5.2.8.1** of Zoning By-law 2000-138 is hereby re-numbered 7.5.2.8 and amended as follows:

7.5.2.8 Maximum Building Height

- | | |
|----|-----------------------------|
| i) | Main building and structure |
|----|-----------------------------|

- Within 150 metres of the rights-of-way of Highway 401 and 407 6 storeys
 - South of Steeles Avenue, beyond 150 metres of the rights-of-way of Highway 401 and 407 4 storeys
 - North of Steeles Avenue 2 storeys to maximum total height of 14 metres
- ii) A stair tower, elevator shaft, water tank, silo, mechanical penthouse or other heating, cooling or ventilating equipment may exceed the maximum building height by a maximum of 5 metres, provided that the aggregate horizontal area of such elements (including the fence or other enclosure) does not exceed 30% of the roof area, and the width of such elements (including the fence or other enclosure) does not exceed 30% of the width of the wall facing a street.

9. That the second **Sub-section 7.5.2.9** of Zoning By-law 2000-138 is hereby re-numbered 7.5.2.10 and amended as follows:

7.5.2.10 Minimum Planting Strip Width

- i) Abutting Steeles Avenue 7 metres
- ii) Abutting Fifth Line 7 metres
- iii) Abutting Highway 401 and 407 7 metres
- iv) Abutting any other street 3 metres

10. That **Sub-section 7.5.2.12** of Zoning By-law 2000-138 is hereby amended as follows:

7.5.2.12 Loading Spaces

- i) Minimum Loading space dimensions 3.5 metres x 12 metres with 4.2 metres of unobstructed height
- ii) Loading spaces shall not be located in any required yard abutting Highway 401, Steeles Avenue, Winston Churchill Boulevard, Trafalgar Road, or a residential or institutional lot.
- iii) Loading spaces must be located adjacent to loading bays. Additional on-site designed commercial vehicle waiting space may be provided to the greater of two loading bays or 20% of the provided designated loading spaces for buildings with a gross floor area of less than 9,290 square metres. Buildings with a gross floor area of 9,290 square metres or greater are permitted additional on-site designed commercial vehicle waiting space to the greater of two loading bays or 100% of the provided designated loading spaces. All other commercial vehicle parking is not permitted as it would be considered

- as outdoor storage.
- iv) Loading space requirements As per Table B
- v) Loading spaces for cannabis analytical testing facilities, cannabis cultivation - indoor, cannabis drug production facilities, cannabis processing facilities and cannabis research facilities shall be located entirely within the main building on the lot.

11. That Sub-section 7.5.2.13 of Zoning By-law 2000-138 is hereby amended as follows:

7.5.2.13 Off-street Parking Requirements

- i) Minimum Parking space dimension 2.75 metres x 5.5 metres
- ii) Parking shall not be located in any required yard abutting a residential or institutional lot.
- iii) Not more than 20% of required parking spaces shall be located in any yard abutting Steeles Avenue.
- iv) Parking space requirements As per Table C

12. That Sub-section 7.5.2.15 of Zoning By-law 2000-138 is hereby amended as follows:

7.5.2.15 Accessory Buildings and Structures

- i) The maximum lot coverage of all accessory buildings and structures shall be 2% to a maximum of 55 square metres.
- ii) The maximum height (as measured from the finished grade level to the highest point) of an accessory building or structure shall be 6 metres.
- iii) No accessory building or structure, excluding a gate house, shall be located within a required front yard or required exterior side yard.
- iv) No accessory building or structure, excluding a gate house, shall be located within a required planting strip.
- v) No accessory building or structure, excluding a gate house, shall be located within 3 metres of the main building or structure on the lot.
- vi) Minimum rear yard and minimum interior side yards of an accessory building:
 - Abutting a residential or institutional lot 9 metres
 - All other lot lines 1 metre
- vii) A gate house shall not exceed 3 metres in height or 12.0 square metres in gross floor area.

13. That Sub-section 7.6.3 of Zoning By-law 2000-138 is hereby amended by adding the following Sub-section 7.6.3.3:

- 7.6.3.3** A lot in existence prior to the effective date of this By-law that does not meet the lot area and/or lot frontage requirements of the applicable zone, is

permitted to be used and buildings and structures thereon be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the buildings or structures comply with all of the other provisions of this By-law. In addition, where, as a result of the acquisition of part of a lot by a public authority, the lot, after the acquisition, does not meet the lot area and/or lot frontage requirements of the applicable zone, such lot may be used for any purpose permitted by this By-law within the zone in which the lot is located.

- 14.** That the second **Sub-section 7.6.3.6** of Zoning By-law 2000-138 is hereby re-numbered 7.6.3.8 and amended as follows:

7.6.3.8 Lot Coverage

- i) Minimum 25% of lot area

- 15.** That **Sub-section 7.6.3.7** of Zoning By-law 2000-138 is hereby re-numbered 7.6.3.9 and amended as follows:

7.6.3.9 Maximum Building Height

- i) Main buildings and structures
- Within 150 m of the rights-of-way of Highway 401 and 407 6 storeys
- South of Steeles Avenue, beyond 150 metres of the rights-of-way of Highway 401 and 407 4 storeys
- ii) A stair tower, elevator shaft, water tank, silo, mechanical penthouse or other heating, cooling or ventilating equipment may exceed the maximum building height by a maximum of 5 metres, provided that the aggregate horizontal area of such elements (including the fence or other enclosure) does not exceed 30% of the roof area, and the width of such elements (including the fence or other enclosure) does not exceed 30% of the width of the wall facing a street.

- 16.** That the second **Sub-section 7.6.3.12** of Zoning By-law 2000-138 is hereby re-numbered 7.6.3.14 and amended as follows:

7.6.3.14 Loading Spaces

- i) Minimum Loading space dimensions 3.5 metres x 12 metres with 4.2 metres of unobstructed height
- ii) Loading spaces shall not be located in any required yard abutting Highway 401, Steeles Avenue, Winston Churchill Boulevard, Trafalgar Road, or a

- residential or institutional lot.
- iii) Loading spaces must be located adjacent to loading bays. Additional on-site designed commercial vehicle waiting space may be provided to the greater of two loading bays or 20% of the provided designated loading spaces for buildings with a gross floor area of less than 9,290 square metres. Buildings with a gross floor area of 9,290 square metres or greater are permitted additional on-site designed commercial vehicle waiting space to the greater of two loading bays or 100% of the provided designated loading spaces. All other commercial vehicle parking is not permitted as it would be considered as outdoor storage.
- iv) Loading space requirements As per Table B

17. That Sub-section 7.6.3.13 of Zoning By-law 2000-138 is hereby re-numbered 7.6.3.15 and amended as follows:

7.6.3.15 Off-street Parking Requirements

- i) Minimum Parking space dimension 2.75 metres x 5.5 metres
- ii) Parking shall not be located in any required yard abutting a residential or institutional lot.
- iii) Not more than 20% of required parking spaces shall be located in any yard abutting Steeles Avenue.
- iv) Parking space requirements As per Table C

18. That Sub-section 7.6.3.14 of Zoning By-law 2000-138 is hereby re-numbered 7.6.3.16 and amended as follows:

7.6.3.16 Accessory Buildings and Structures

- i) The maximum lot coverage of all accessory buildings and structures shall be 2% to a maximum of 55 square metres.
- ii) The maximum height (as measured from the finished grade level to the highest point) of an accessory building or structure shall be 6 metres.
- iii) No accessory building or structure, excluding a gate house, shall be located within a required front yard or required exterior side yard.
- iv) No accessory building or structure, excluding a gate house, shall be located within a required planting strip.
- v) No accessory building or structure, excluding a gate house, shall be located within 3 metres of the main building or structure on the lot.
- vi) Minimum rear yard and minimum interior side yards of an accessory building:
 - Abutting a residential or institutional lot 9 metres
 - All other lot lines 1 metre
- vii) A gate house shall not exceed 3 metres in height or 12.0 square metres in gross floor area.

19. That **Sub-section 7.6.3** of Zoning By-law 2000-138 is hereby amended by re-numbering the remaining sub-sections accordingly.

20. That **Sub-section 7.7.2.4** of Zoning By-law 2000-138 is hereby amended as follows:

7.7.2.4 Minimum Side Yard

- | | | |
|-----|---|----------|
| i) | Interior | |
| | - Abutting a residential or institutional lot | 9 metres |
| | - All other interior side yards | 3 metres |
| ii) | Exterior | 9 metres |

21. That **Sub-section 7.7.2.5** of Zoning By-law 2000-138 is hereby amended as follows:

7.7.2.5 Minimum Rear Yard

- | | | |
|-----|---|----------|
| i) | Abutting a residential or institutional lot | 9 metres |
| ii) | All other rear yards | 3 metres |

22. That **Sub-section 13.102.4** of Zoning By-law 2000-138 is hereby amended by re-lettering the definition for “Outdoor storage” (xxvii) and moving it between the definitions of “Noxious use” and “Personal service store”.

23. That **Sub-section 13.102.4** of Zoning By-law 2000-138 is hereby amended by adding the following definitions:

- xvii) “Floor Area, Gross” means the aggregate of the areas of each floor of a building or structure above or below established grade, measured between the exterior faces of the exterior walls of the building or structure excluding the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles, unless the parking of motor vehicles is the principal use of the building or structure.
- xviii) “Floor Area, Net” means the aggregate of the floor areas of a building above or below established grade, but excluding car parking areas within the building, stairways, elevator shafts, service or mechanical rooms and penthouses, washrooms, garbage or recycling rooms, staff locker and lunch rooms, loading areas, any space with a floor to ceiling height of less than 1.8 metres and any part of a basement that is unfinished, is used solely for storage purposes and is not accessible to the public.

24. That **Sub-section 13.102.4** of Zoning By-law 2000-138 is hereby amended by re-lettering the remaining definitions accordingly.

25. That **Sub-section 13.102.5** of Zoning By-law 2000-138 is hereby re-numbered 13.102.8 and amended as follows:

13.102.8 Loading

The following minimum requirements shall apply to the 401 Corridor Prestige Industrial (M7) Zone, the Gateway (G) Zone and the 401 Corridor Development (MD) Zone

Table B

Gross Floor Area (sm – square metre)	Loading Spaces Required
0 – 300 sm	0
301 – 1,850 sm	1
1,851 – 3,700 sm	2
3,701 – 9,250 sm	3
9,251 – 14,800 sm	4
14,801 – 22,220 sm	5
For each additional 3,700 sm	1 additional

26. That **Sub-section 13.102.6** of Zoning By-law 2000-138 is hereby amended by removing the first sentence and moving “Financial Institution” to be located between the rows of “Exhibition or convention centre” and “Gas bar”.
27. That **Sub-section 13.102.6** of Zoning By-law 2000-138 is hereby re-numbered 13.102.9 and amended by the following table letter and rows:

Table C

Use	Required Parking Space (per square metre [sm] of Net Floor Area, unless otherwise noted)
Accessory general office	1/30 sm
Exhibition or convention centre	1/5 sm of exhibition area or conference rooms
Financial Institution	1/18 sm
Hotel	1.2 spaces per hotel room 1 space per 5 sm of conference or meeting rooms
Industrial use	1/30 sm for the first 1,000 sm, 1/100 sm for the floor area between 1,000 and 5,000 sm, plus 1/200 sm in excess of 5,000 sm

Manufacturing use	1/30 sm for the first 1,000 sm, 1/100 sm for the floor area between 1,000 and 5,000 sm, plus 1/200 sm in excess of 5,000 sm
Museum	1/40 sm
Restaurant -Take-out -Full service	1/16.6 sm 1/4 persons permitted capacity
Retail store	1/20 sm
Warehouse use	<p>a) If associated office or retail net floor areas are 15% or less of the total net floor area</p> <ul style="list-style-type: none"> - up to 7,000 sm – 1/90 sm - 7,000 to 20,000 sm – 78 parking spaces plus 1/145 sm of net floor area - over 20,000 sm – 168 spaces plus 1/170 sm of net floor area or portion thereof over 20,000 sm; <p>b) If associated office or retail net floor area is more than 15% of the total net floor area, the standards for office and retail uses apply.</p>
Wholesale use	<p>a) If associated office or retail net floor areas are 15% or less of the total net floor area</p> <ul style="list-style-type: none"> - up to 7,000 sm – 1/90 sm - 7,000 to 20,000 sm – 78 parking spaces plus 1/145 sm of net floor area - over 20,000 sm – 168 spaces plus 1/170 sm of net floor area or portion thereof over 20,000 sm; <p>b) If associated office or retail net floor area is more than 15% of the total net floor area, the standards for office and retail uses apply.</p>

28. That **Sub-section 13.102** of Zoning By-law 2000-138 is hereby amended by adding the following sub-sections:

13.102.5 Surface Treatment

All required parking spaces, parking areas, driveways and aisles shall be surface treated with asphalt, concrete, concrete pavers or similar material. The use of similar materials that provide for the infiltration of water into the ground is also permitted.

13.102.6 Width of Parking Aisles

The minimum width of an aisle providing access to a parking space within a parking area shall be 6.7 metres, except as set out in Table A below in the case of angled off-street parking accessed by a one-way aisle.

Table A

Angle of Parking (Degrees)		Minimum Parking Aisle Width (Metres)
Equal To	Less Than	
0	45	4.0
45	56	4.8
56	70	6.5
70	90	6.7

13.102.7 Width of Access Ramps and Driveways

Access ramps and driveways accessing a parking area or parking lot shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.

13.102.10 Parking Area Location on a Lot in Relation to Buildings and Structures

Notwithstanding any other provisions of this By-law, parking areas shall be set back a minimum of 1.2 metres from any building or structure.

13.102.11 Parking Garages

Above grade parking garages shall be permitted in the 401 Corridor Prestige Industrial (M7) and Gateway (G) Zone and shall have a maximum height of two storeys. Parking garages shall comply with the provisions for the main building in accordance with this By-law. No setbacks or yards shall be required for any portion of a parking garage if it is constructed completely below the established grade. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities associated with below grade parking garages that extend from below established grade.

13.102.12 Parking Required for Outdoor Patios

Parking spaces are not required for any outdoor patio that occupies an area of less than 40% of the net floor area of the restaurant it serves.

13.102.13 Illumination

Where parking areas are illuminated, the lighting fixtures shall be provided in accordance with the following provisions:

- a) No part of the lighting fixture shall be more than 9.5 metres above grade; and,
- b) They shall be installed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture is projected below the lamp and onto the lot the lighting is intended to serve.

13.102.14 Queuing Lane Requirements

Where drive through service facilities are permitted, queuing lanes are required and shall be exclusive of any other parking space and loading space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this Section.

13.102.14.1 Queuing Space Requirements

The minimum queuing space requirements within a designated queuing lane shall be as described in Table D below:

Table D

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Financial Institution	4	1
Restaurant or Convenience Restaurant	12	2
Service Station or Gas Bar	3	1
Car Wash	10	2
All Other Uses	3	1

13.102.14.2 Location of Ingress and Egress Spaces

The first required ingress space shall be located adjacent to the product pick-up window or dispensing machine and the required egress spaces shall be located after the product pick-up window or dispensing machine. In addition to the above, a minimum of 4 ingress spaces for a restaurant or restaurant take-out shall be located in that portion of the queuing lane that begins at the order box, if an order box exists.

13.102.14.3 Length of Queuing Lane

The length of the queuing lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress spaces.

13.102.14.4 Multiple Queuing Lane Requirements

Where multiple queuing lanes are required on a lot, the queuing space requirements shall be provided for each individual queuing lane in compliance with the provisions of Section 5.6.1 of this By-law.

13.102.14.5 Size of Queuing Space

All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 metres and a minimum width of 3.0 metres.

13.102.14.6 Setbacks From Residential Zone Boundary

All order boxes using voice communication to order shall be located no closer than 10.0 metres from any Residential Zone boundary.

13.102.14.7 Delineation of Queuing Lane Requirements

Queuing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the parking area and loading area.

13.102.14.8 Location of Queuing Lanes, Order Boxes, and Wall Openings Associated with a Drive Through Service Facility in Relation to Front and Exterior Side Lot Lines

No queuing lanes, order boxes, and wall openings associated with a drive through service facility shall be located in the front yard. No queuing lanes, order boxes and wall openings associated with the drive through service shall be located in the wall facing the exterior side lot line unless all of the components of a drive through service facility are located no closer than 6.0 metres from the exterior side lot lines.

13.102.15 Bicycle Parking

Bicycle parking spaces are required for the uses listed in Table E below in addition to any required parking spaces for motor vehicles:

Table E

Use	Required Parking Standards (per square metre [sm] of Gross Floor Area, unless otherwise noted)
Retail, service commercial, institutional	2 spaces plus 1 space/1,000 sm
Industrial	2 spaces plus 0.25 spaces/1,000 sm
Elementary and Secondary School	1 space/10 students & 1 space/35 employees
Post Secondary School	1 space/20 students

BY-LAW read and passed by the Council for the Town of Halton Hills this 14th day of December, 2020.

MAYOR – RICK BONNETTE

CLERK – SUZANNE JONES